

### REMARKS

5 In an Amendment filed on December 12, 2010, Applicant amended various claims to comport with perceived deficiencies in formalities as to dependencies. In response, Applicant received a Notice Requiring Excess Claims Fees dated December 20, 2010.

10 Applicant notes that the Notice provides for a time period of one (1) month or thirty (30) days from the mailing date of the Notice. Applicant submits that this Response is proper and within the time period and that no extensions of time are required for entry of the Amendment.

#### Claims Fees and Status of Amendment

15 Applicant sincerely appreciates the Office's attention to the claims and the associated fees. As to claims 1-29, form PTO 1360 of April 10, 2006 indicates 29 dependent claims, 2 independent claims and 31 total claims. As to claims 1-29, form PTO/SB/07 of December 12, 2010 indicates 31 dependent claims, 2 independent claims and 33 total claims.

20 The difference between the counts for dependent claims appears to pertain to claims 7 and 21, which remain original (i.e., not amended in the Amendment filed on December 12, 2010).

25 Applicant respectfully submits that the timing of the Notice Requiring Excess Claims Fees may not correspond to the Amendment filed on December 12, 2010. For at least this reason, Applicant respectfully requests reconsideration of the status of the Amendment filed on December 12, 2010. Specifically, if the Amendment did not alter the claims fees but merely cause a review of prior fee forms such to uncover an error, Applicant submits that the Amendment was proper and timely. Alternatively, or additionally, as this Response is within the time period provided by the Notice, Applicant submits that an extension of time is not required. Ultimately, 30 Applicant appreciates the Office's attention to this matter and correction of the error.

Payment for Excess Claims Fees

Payment for excess claims fees in the amount of \$104 accompanies this response. The amount is paid by credit card upon filing this paper via EFS.

5 Conclusion

Claims 1-29 are pending and believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to  
10 discuss the unresolved issue.

Respectfully Submitted,

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Dated: December 22, 2010

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